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18 TOCAD AMERICA, INC.

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA

21 SAN FRANCISCO DIVISION

23 JOBY, INC.,

24 Plaintiff,

25 v.

26 TOCAD AMERICA, INC.,

27 Defendant.

Case No. 3:07-CV-06455 (SI)

**STIPULATION RE JOBY, INC.'S
MOTION FOR PRELIMINARY
INJUNCTION**

On March 28, 2008, plaintiff Joby, Inc. ("Joby") filed a motion for a preliminary injunction against defendant Tocad America, Inc. ("Tocad"). The motion is currently set for hearing on May 30, 2008.

The parties have negotiated a resolution of Joby's request for injunctive relief regarding Tocad's FlexPod and FlexPod Plus products existing in the marketplace as of the date of this Stipulation.

Accordingly, pursuant to Civil L.R. 7-12, THE PARTIES HEREBY STIPULATE AS FOLLOWS:

1. Tocad will not create, produce, distribute, ship, import, sell, advertise, market or promote its existing FlexPod line of camera support products (including those sold under other brand names) after May 30, 2008.

2. Tocad will not create, produce, ship or import its existing FlexPod Plus line of camera support products (including those sold under other brand names) after May 30, 2008.

3. Tocad will not distribute, sell, advertise, market or promote its existing FlexPod Plus line of camera support products (including those sold under other brand names) after July 15, 2008.

4. In reliance on the foregoing, Joby stipulates that its motion for preliminary injunction no longer requires decision by the Court and may be taken off the hearing calendar.

Dated: May 6, 2008

FENWICK & WEST LLP

By: /s/Virginia K. DeMarchi
Virginia K. DeMarchi

Attorneys for Plaintiff
JOBY, INC.

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1 Dated: May 6, 2008


PERKINS COIE LLP

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3 By: /s/Debra R. Bernard
4 Debra R. Bernard

5 Attorneys for Defendant
6 TOCAD AMERICA, INC.

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8 PURSUANT TO STIPULATION, IT IS SO ORDERED.

9
10 Dated: _____, 2008

11
12 By: 
13 The Honorable Susan Illston
14 United States District Court Judge

15 ATTESTATION

16 I, Virginia K. DeMarchi, attest that concurrence in the filing of this document has been
17 obtained from Debra R. Bernard, counsel for defendant Tocad America, Inc.

18 I declare under penalty of perjury that the foregoing is true and correct. Executed this 6th
19 day of May, 2008 in Mountain View, California.

20
21 /s/ Virginia K. DeMarchi
22 Virginia K. DeMarchi